IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.THANKAPPAN

TUESDAY, THE 2ND JANUARY 2007 / 12TH POUSHA, 1928.

RP.No. 1171 of 2006(L)

AGAINST THE JUDGEMENT IN WPC.13556/2006 Dated 11/10/2006
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PETITIONERS:
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1. JAMES P. MATHEW, S/O.MATHEW,
KUNNAM MURIYIL PAZHOOR VEEDU,
KOLLAMOOLA VILLAGE, RANNI,
PATHANAMTHITTA DISTRICT.

2. SHERLY JAMES, W/O.JAMES P. MATHEW,
KUNNAM MURIYIL PAZHOOR VEEDU,
KOLLAMOOLA VILLAGE, RANNI,
PATHANAMTHITTA DISTRICT.

BY ADV. SRI.R.RENJITH
SRI.M.T.SURESHKUMAR

RESPONDENTS:
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1. THE RANNI BLOCK RURAL HOUSING
CO-OPERATIVE SOCIETY NO.2926, VADASSERIKKARA,
RANNI, PATHANAMTHITTA DISTRICT,
REPRESENTED BY ITS SECRETARY.

2. THE INSPECTOR OF CO-OPERATIVE
SOCIETIES (ARBITRATOR), VADASSERIKKARA UNIT,
OFFICE OF THE ASSISTANT REGISTRAR (GENERAL),
RANNI.

3. THE KERALA CO-OPERATIVE TRIBUNAL,
REPRESENTED BY ITS REGISTRAR,
THIRUVANANTHAPURAM.

R1-BY ADV. SRI.C.RAGHAVAN
R2 & R4-BY GOVERNMENT PLEADER SRI.C.M.NAZAR

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 02/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K. THANKAPPAN, J.

R.P.No.1171 OF 2006-L

Dated this the 2nd day of January, 2007.

O R D E R

Admit. Sri.C. Raghavan takes notice for the 1st respondent.

2. Heard the learned counsel appearing on either side. By the judgment dated 11th October, 2006, this Court directed the review petitioners/writ petitioners to remit the entire loan amount by 15 monthly instalments and also directed the respondents to consider whether it is feasible to allow the petitioners to remit the amount atleast by 15 monthly instalments.

3. Now the revision petitioners submit that they have already filed Annexure-2 application before the 1st respondent Society requesting for allowing them to remit the amount atleast by 108 instalments. It appears that the Society is willing to allow much more time to the petitioners to remit the amount. In the above circumstances, the order dated 11th October, 2006 stands reviewed as follows:

4. The petitioners shall remit the entire dues within the time being allowed by the respondent Society on considering Annexure-A2 request. However, it is only proper for the respondent Society to allow the petitioners to remit the balance amount not less than by 50 monthly instalments. The date of the first instalment shall be fixed on passing a formal order on Annexure-A2 and the Society shall take a decision on Annexure-A2 within one month from the date of receipt of a copy of this order. The Society shall also fix a time limit for payment of the instalments and if such a time limit is fixed and the petitioners are not remitting the amount within that time limit, the Society can proceed against the petitioners as per law.

The review petition is disposed of accordingly.

K. THANKAPPAN, JUDGE.

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